



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,564	07/13/2000	Robert Leifer	200-10(CIP)	4504

24336 7590 06/19/2003

KEUSEY, TUTUNJIAN & BITETTO, P.C.
14 VANDERVENTER AVENUE, SUITE 128
PORT WASHINGTON, NY 11050

[REDACTED] EXAMINER

TON, ANABEL

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2875

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/615,564	LEIFER ET AL.
Examiner	Art Unit	
Anabel M Ton	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12 April 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 2-31,33 and 34 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 11,13-29,33 and 34 is/are allowed.
- 6) Claim(s) 2-10,12,30 and 31 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) Interview Summary (PTO-413) Paper No(s) _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

Double Patenting

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 5,10,12 and 31 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3,5 and 7 of U. S. Patent No. (6,361,182). Although the conflicting claims are not identical, they are not patentably distinct from each other because:

- With regards to claim 5, although reciting specifically "a frame....adapted to be positioned over a video screen", it would have been obvious to one of ordinary skill in the art at the time the invention was made that the '182 reference reciting "a housing adapted to fit onto a compact computer device.....reflecting means operatively connected to said housing" would include a frame with an opposing side adapted to receive and reflect light from the light source towards the video screen as recited in the instant invention. The power supply means of the instant invention is recited in claims 1 and 5 of the '182 reference.

- With regards to claim 10, although reciting specifically "a frame....adapted to be positioned over a video screen", it would have been obvious to one of ordinary skill in the art at the time the invention was made that the '182 reference reciting "a housing adapted to fit onto a compact computer device.....reflecting means operatively connected to said housing" would include a frame with an opposing side adapted to receive and reflect light from the light source towards the video screen as recited in the instant invention. Furthermore, the reflective surface is recited in claim 3 of the '182 reference
- With regards to claim 31 although reciting specifically "a frame....adapted to be positioned over a video screen", it would have been obvious to one of ordinary skill in the art at the time the invention was made that the '182 reference reciting "a housing adapted to fit onto a compact computer device.....reflecting means operatively connected to said housing" would include a frame with an opposing side adapted to receive and reflect light from the light source towards the video screen as recited in the instant invention. Furthermore, the external jack and power supply means of the instant invention are recited in claims 5 and 7 of the '182 reference

3. Claims 2-4,6-9 and 30 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1,6 and 15 of U.S. Patent No. 6,517,069. Although the conflicting claims are not identical, they are not patentably distinct from each other because of the following reasons:

- With regards to claim 9, although the '069 reference discloses a curved reflective surface, the instant invention does recite a reflective surface in the same position as the reflective surface of the '069 reference. The magnifying lens is disclosed in claim 15 of the '069 reference.
- With regards to claim 30 of the instant invention, claims 1 and 15 of the '069 reference disclose the structural limitations of claim 30.

Allowable Subject Matter

4. Claim 11, 13-29, 33 and 34 are allowed.
5. The following is a statement of reasons for the indication of allowable subject matter: The prior art cited does not recite a combination of the following:
 - A light assembly for use in enhancing the view of a video screen of a compact computer device, the light assembly comprising: a frame having a frame opening adapted to be positioned over the video screen; a light source disposed at a side of said frame for projecting light toward an opposing side of said frame; and a reflective surface disposed at said opposing side and adapted to receive and reflect light from said light source toward the video screen, **wherein said reflective surface comprises a curved reflective surface pivotally mounted to said frame**.
 - A light assembly for use in enhancing the view of compact computer video screen, the compact computer device having a power supply, an on/off power switch and **a link port adapted to connect the compact**

computer device to another compact computer device, the light assembly comprising: a frame having a frame opening formed from an upper frame opening and a lower frame opening, said frame opening being positionable over the video screen; a light source disposed at a side of said frame for projecting light toward an opposing side of said frame; a reflective surface disposed at said opposing side and adapted to receive and reflect light from said light source toward the video screen; power supply means for selectively supplying said light source with electrical current, said power supply means comprising a plug electrically connected to the combined light/magnifier and adapted to be releasably connected to the link port of the computer device to obtain electrical current from the power supply of the compact computer device; and an external jack adapted to provide a user accessible link port when said plug is disposed within the link port of the compact computer device.

- **A light assembly for use in enhancing the view of compact computer video screen, the compact computer device having a -power supply, an on/off power switch and a link port adapted to connect the compact computer device to another compact computer device, the light assembly comprising: a frame having a frame opening being positionable over the video screen; a light source for projecting light in a predetermined direction; a reflective surface positioned in a path of said predetermined direction to receive and reflect light from said light source toward the video screen; and a magnifying lens disposed within said upper frame opening.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M Ton whose telephone number is (703) 305-1084. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Anabel M Ton
Examiner
Art Unit 2875

AMT
June 16, 2003



THOMAS M. SEMBER
PRIMARY EXAMINER